

INDYMAC BANK, F.S.B.

Index #: 07 CV 6865 (LTS)

Plaintiff(s)

- against -

Date Filed:

Court Date: August 21, 2007

NATIONAL SETTLEMENT AGENCY, INC., ETAL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on August 17, 2007 at 07:42 PM at

220 EAST 72ND STREET, 25TH FL
NEW YORK, NY 10021

deponent served the within true copy/copies of the SUMMONS/COMPLAINT, ORDER TO SHOW CAUSE FOR ORDER OF ATTACHMENT, PRELIMINARY INJUNCTION, EXPEDITED DISCOVERY WITH TEMPORARY RESTRAINTS on RACHEL M. LEFF, THROUGH HER COUNSEL, LARRY MORRISON, the attorney therein named,

**SUITABLE
AGE**

by delivering thereat a true copy/copies of each to MR. RAYMOND RAMINEZ a person of suitable age and discretion. Said premises is the attorney's dwelling house within the state. He identified himself as the DOORMAN of the attorney.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	BROWN	BROWN	47	6'0	170

MAILING

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the attorney at the attorney's last known residence at

220 EAST 72ND STREET, 25TH FL
NEW YORK, NY 10021

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on August 17, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.


DOORMAN / CONCIERGE / SECURITY REFUSED TO ALLOW DEPONENT ACCESS INTO SAID BUILDING.

**MILITARY
SERVICE**

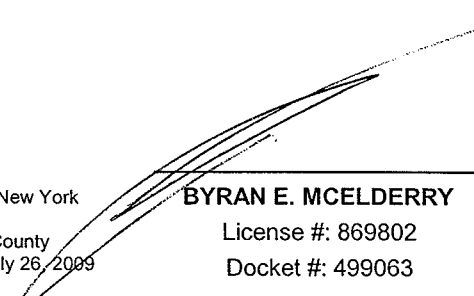
Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: August 21, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


BYRAN E. MCELDERRY
License #: 869802
Docket #: 499063